

# MAKHADO MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE FIFTY SECOND (52<sup>ND</sup>) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 13 AUGUST 2009 AT 17:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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### PRESENT

#### Councillors

BALADZI P  
BALOYI R S  
CHAYA A A  
DZHOMBE J  
GUNDULA A S  
HELM M A  
HLONWANI X N C  
HOORZUK J  
KHUMALO J D  
LERULE M M  
MABILA M N  
MABOHO N K  
MABOHO T E  
MACHOVANI R G  
MADUWA E  
MAGUGA S G  
MAKHADO M M  
MAKHADO M N  
MAKHOMISANI S E  
MAKHUBELE R T  
MALELTE D  
MANGANYI S D S  
MASHAU L P  
MASHAMBA H A

MASUKA S  
MATAMELA N S  
MAUBA K D  
MATUMBA J  
MBOYI M D  
MUDAU T J  
MUFAMADI M R  
MULOVHEDZI M D  
MUNUGUFHALA M L  
MUROVHI N J  
NCHAUBA T G  
NEMALEGENI P R J  
NEPHAWE K P  
NGOBENI E H  
NGWANA A G  
NKANYANI R G  
NTHULANE L T  
RADAMBA M S  
REKHOTSO S M  
REYNEKE P Q  
RIKHOTSO F J  
SELEPE M R  
SIPHUMA A L  
TSHAVHUYO T G

#### Traditional Leaders

NONE

#### Officials

R H MALULEKE	(ACTING MUNICIPAL MANAGER & DIRECTOR FINANCE)
S M CAROTO	(ACTING DIRECTOR CORPORATE SERVICES)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)
J LUKHELI	(ASSISTANT MANAGER COUNCILLORS AFFAIRS)
L BOBODI	(PUBLIC RELATIONS OFFICER)

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### 1. OPENING

The Speaker, Cllr J Hoorzuk ruled that a minute of silence be observed for meditation and prayer whereafter she declared the meeting officially opened.

## 2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED -

THAT leave of absence be granted in accordance with the provisions of Rule no. 5 of the Council's Rules and Orders, January 2008 in respect of the Council meeting held on 13 August 2009 to Cllrs M F Mahani, M B Bopape, M A Muvhumbe, G Ramashia, F D Mutavhatsindi, A du Plooy, S J Mahwai, M A Makhera, F F Rumani, B F Hlungwani, J Mukhaha, L M Nekhumbe and N V Mahlaule.

### REMARK:

Cllrs P R J Nemalegeni, SDS Manganyi and W N Mashele as well as Traditional Leaders Khosi N T L Mashamba, Hosi M S Bungeni, Hosi Majosi H.N, Khosi S A Mulima, Hosi Mukhari S.T, Hosi Baloyi J, Khosi M C Masakona, Khosi M A Madzivhandila, Khosi T P Nesengani, Khosi T R V Mashau, Khosi M V Netshianda, Khosi S E Sinthumule and Khosi Ramabulana V.C did not sign the attendance register and it cannot be confirmed that they were present at the meeting. One vacancy existed since Cllr J F Smalle had resigned as a member of Council.

## 3. OFFICIAL ANNOUNCEMENTS

None

## 4. PROPOSAL OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER:

The Speaker, Cllr J Hoorzuk granted all political parties in Council for condolences to the family of Cde Pandelani "Sparks" Ramagoma who was the MEC of Public Works and who died in a car accident.

## 5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

### UDM

Cllr L P Mashau on behalf of UDM proposed condolences to the family, ANC, friends of Cde Ramagoma, may his soul rest in peace.

### ACDP

Cllr M A Helm on behalf of ACDP proposed condolences to the Honourable MEC for Public Works, Cde Ramagoma Pandelani.

### DA

Cllr K Maboko on behalf of the DA proposed condolences to the late MEC Ramagoma Pandelani. He was a great leader.

### ANC

Cllr F J Rikhotso on behalf of the ANC proposed condolences to the Ramagoma family and indicated that as ANC we feel the same pain with the family. We have lost a leader, hero who decided to join the angel wings by then it was not fascinate to join a political party, we lost. He lead the movement during those times. He will discuss issues. He served as a member of the Limpopo Legislature before he was re-deployed by the Government to be a public servant. He was a Chairperson of SACP in the Province, REC member of the ANC, PEC of the ANC and MEC of Public Works. May his soul rest in peace and asked a house to observe a minute of silence.

Cllr A A Chaya on behalf of the Indian Community and his family proposed condolences to the family of the MEC of Public Works, Cde Pandelani Ramagoma on his death.

**6. CONFIRMATION OF MINUTES****6.1 REMARK:**

Upon a proposal by Cllr J D Khumalo duly seconded by Cllr R Selepe, it was

RESOLVED -

THAT the minutes of the 51<sup>st</sup> Meeting of the Council held on 14 May 2009, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following correction:

“HLONWANI XNC” to be changed to read “HONWANI XNC”

**6.2 REMARK:**

Upon a proposal by Cllr F J Rikhotso, duly seconded by Cllr O Maphalo, it was

RESOLVED -

THAT the minutes of the 63<sup>rd</sup> Special Meeting of the Council held on 29 May 2009, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson, with the following correction:

“Cllr Honwana XNC was absent – he has made an apology on 29 May 2009”

**7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN**

None

**8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING**

None

**9. REPORT OF THE EXECUTIVE COMMITTEE: AUGUST 2009**

**9.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of June to August 2009**

**The report of the 245<sup>th</sup> Executive Committee meeting held on 25 June 2009.  
The report of the 246<sup>th</sup> Executive Committee meeting held on 16 July 2009.  
The report of the 247<sup>th</sup> Executive Committee meeting held on 5 August 2009.  
The report of the 248<sup>th</sup> Executive Committee meeting held on 13 August 2009.**

**ITEM A.41.13.08.09 (originally A.41.30.07.09)**

**ELECTIONS: CIRCULAR 1 AND 2 OF 2009: MUNICIPAL DEMARCATION BOARD**

**1. APPOINTMENT OF MEMBERS OF THE BOARD**

**2. DELIMITATION OF WARD BOUNDARIES FOR 2009/2010 FOR 2011 MUNICIPAL ELECTIONS  
(15/1; 3/2/1)**

RESOLVED A.41.13.08.09 –

1. THAT note be taken of the contents of Circular 1/2009 of the Chairperson of the Municipal Demarcation Board about the appointment of members of the Municipal Demarcation Board.

(DCS)

2. THAT note be taken of the contents of Circular 2/2009 of the Chairperson of the Municipal Demarcation Board about the Delimitation of Ward Bounding during 2009 and 2010 for the 2011 local municipal elections and that

- 2.1 Council delegate a representative to attend the launch of consultative process scheduled for July 2009;

- 2.2 Council delegate a co-ordinator that will take charge on local level of all election preparation processes with regard to community consultation as well as other administrative matters.

Elections2011\_itm

(DCS)

**ITEM A.42.13.08.09 (originally A.42.30.07.09)**

**TOWN-PLANNING AND CONTROL: CONDITIONS OF ESTABLISHMENT: PROPOSED LOUIS TRICHARDT, EXTENSION 13 TOWNSHIP  
(15/3/15; 15/5/18/1)**

RESOLVED A.42.13.08.09 –

1. THAT note be taken that the project was funded by the Provincial Government and therefore there were budgetary timeframes that need to be adhered to.

(DCS)

2. THAT the matter be held in abeyance pending the filling of vacancies in the Department of Planning and Development and the reviewing of the Municipality Land Disposal Policy i.e. Louis Trichardt Town and all R293 Townships to promote integrated human settlement and the plight of the poor.

(DCS)

EstablishmentLTTEExtension13\_itm(2)

**ITEM CA.43.13.08.09 (originally CA.43.30.07.09)**

**TOWNPLANNING AND CONTROL: PROPOSED MUILA TOWNSHIP ESTABLISHMENT:  
PURCHASE OF LAND  
(15/7/1 & 7/4/1/3)**

RESOLVED CA.43.13.08.09 –

THAT the matter be held in abeyance pending the filling of vacancies in the Department of Planning and Development and the reviewing of the Municipality Land Disposal Policy i.e. Louis Trichardt Town and all R293 Townships to promote integrated human settlement and the plight of the poor.

PurchaseMuila\_itm

(DCS)

**ITEM A.44.13.08.09 (originally A.44.30.07.09)**

**TOWN-PLANNING AND CONTROL: IDENTIFICATION OF LAND FOR PROPOSED BUSINESS  
DEVELOPMENT: VUWANI REGION: PROPOSED SALE OF VARIOUS ERVEN: VUWANI  
EXTENSION 1 TOWNSHIP  
(15/B; 7/4/1/3; 7/3/2/1; 15/3/23)**

RESOLVED A.44.13.08.09 -

THAT the matter be held in abeyance pending the filling of vacancies in the Department of Planning and Development and the reviewing of the Municipality Land Disposal Policy i.e. Louis Trichardt Town and all R293 Townships to promote integrated human settlement and the plight of the poor.

BusinessDevVuwani\_itm

(DCS)

**ITEM A.45.13.08.09 (originally A.45.30.07.09)**

**(COUNCIL) LAND: APPLICATION FOR PURCHASE OF A PORTION OF ERF 1 VUWANI  
TOWNSHIP  
(7/4/1/4)**

RESOLVED A.45.13.08.09 -

THAT the matter be held in abeyance pending the filling of vacancies in the Department of Planning and Development and the reviewing of the Municipality Land Disposal Policy i.e. Louis Trichardt Town and all R293 Townships to promote integrated human settlement and the plight of the poor.

PurchasePortion1Vuwani\_itm

(DCS)

**ITEM A.46.13.08.09 (originally A.46.30.07.09)**

**COUNCIL LAND: APPLICATION TO ACQUIRE MUNICIPAL LAND: EASTERN SIDE OF  
PORTION 83 AND NORTH EASTERN SIDE OF PORTION 84, FARM BERGVLIET 288 L.S.  
(7/3/2/1)**

RESOLVED A.46.13.08.09 -

THAT the matter be held in abeyance pending the filling of vacancies in the Department of Planning and Development and the reviewing of the Municipality Land Disposal Policy i.e. Louis Trichardt Town and all R293 Townships to promote integrated human settlement and the plight of the poor.

**ITEM A.47.13.08.09 (originally A.47.30.07.09)****FINANCES: TENDER 14 OF 2007: EXTENTION OF THE DEBT COLLECTION CONTRACT:  
ZMS MANAGEMENT SOLUTIONS  
(8/3/2/740)**

RESOLVED A.47.13.08.09 -

THAT the item be withdrawn as it was overtaken by events in Vhembe District Municipality pertaining to cost recovery. (DCS)

ExtensionZMS\_itm

**ITEM A.48.13.08.09 (originally A.48.30.07.09)****COUNCIL LAND: APPLICATION TO EXTEND LEASE AGREEMENT: LEASE OF COUNCIL  
LAND: DZANANI TOWNSHIP  
(7/3/2/3)**

RESOLVED A.48.13.08.09 –

1. THAT the term of lease of the lease area in Dzanani Township which MTN leases from Municipality be extended for a further period of two (2) years subject to the following conditions:
  - 1.1 The period of extended lease will commence on the day following the last day of the term of lease of the existing agreement
  - 1.2. A market related rental will be payable to be determined by Council's Valuer and collected accordingly from the lessee
  - 1.3. The rental will escalate annually by 15% and the Chief Financial Officer will automatically implement the escalation annually
  - 1.4. The standard conditions of lease of municipal land will further apply. (ADCS)
2. THAT MTN be permitted to sub-let the right of use of a portion of the lease area to Cell C in order to enable Cell C to use the same telephone mast already existing on the property, and that for this purpose the lease area be extended with a further 16m<sup>2</sup>.
  - 2.1 Cell C will be permitted to place a container at on the lease area and must declare the purpose of the container – no business may be conducted from such container and it would serve as control room only
  - 2.2 The contract of subletting will be between MTN and Cell C and Council accept no liability in any way whatsoever in respect of any claim for damages suffered as a result of the sublease or use of the property
  - 2.3 Building plans must be approved before any structures, including the Cell C container is placed on the lease area. (ADCS)
3. THAT the monthly rental payable by MTN to Municipality covers the use of the entire lease area.

(ADCS)

4. THAT the Acting Director Corporate Services be authorized to sign the Addendum to the Agreement between MTN and Municipality to arrange for the extension of the lease period, as well as the enlargement of the lease area as more fully set out in the preceding paragraphs.

MTNDzanani\_itm

(ADCS)

**CONFIDENTIAL**

**ITEM CA.49.13.08.09 (originally CA.49.30.07.09)**

**CONFIDENTIAL MATTER**

**ITEM A.50.13.08.09 (originally A.50.30.07.09)**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT: PORTION 1 OF ERF 3257, LOUIS TRICHARDT TOWNSHIP (15/3/15 & E3257/1)**

RESOLVED A.50.13.08.09 –

1. THAT note be taken of the hearing held on 16 May 2009 to hear objections against the approval of the special consent use application intended on Portion 1 of erf 3257, Louis Trichardt township, as more fully set out in the Minutes attached to the report in this regard. (ADCS)
  
2. THAT the application that was received from Van der Westhuizen Attorneys on behalf of their client Ms A du Preez for special consent in order to utilise a portion of the dwelling situated on Portion 1 of erf 3257, Louis Trichardt township for the purpose of overnight accommodation/guest house and restaurant under clause 16 of the Louis Trichardt Town-planning Scheme, 2000, be approved subject to the following conditions:
  - 2.1 Sufficient parking facilities must be provided for as set out below.
  - 2.2 Overnight accommodation: one (1) parking space per bedroom and six (6) parking spaces per 100m<sup>2</sup> public areas.
  - 2.3 The restaurant may only be utilized by persons utilizing the overnight facility and their guests.
  - 2.4 Liquor may only be sold to persons utilizing the overnight facility
  - 2.5 Parking spaces must be provided on Portion 1 of erf 3257, Louis Trichardt township.
  - 2.6 A site development plan must be submitted to Council for approval prior to the approval of building plans for any alterations to buildings or addition of any buildings or utilization of the erf for such purposes.
  - 2.7 Adequate measures must be taken to prevent excessive noise which causes a nuisance to neighbours.
  - 2.8 The special consent of Council shall be exercised within twelve (12) months calculated from 1 July 2009, failing which such right shall automatically lapse without written notice.

- 2.9 If the special consent use mentioned in paragraph 6 above is not exercised for an uninterrupted period of at least twelve (12) months the right shall automatically lapse.
- 2.10 The aforementioned consent of Council shall be for a period of twenty four (24) months, calculated from 1 July 2009, where after extension thereof may be considered by Council: Provided that should Council receive any valid objections in the meantime, the special consent shall be withdrawn with immediate effect.
- 2.11 Any other statutory requirements (e.g. Businesses Act, 71 of 1991) pertaining to the relevant undertaking must be complied with.
- 2.12 The applicant must be the registered owner or spouse of the registered owner of the property, or in the event of a company, a shareholder, or if a closed corporation, a member, and the applicant must also be the user of the required consent use and may not cede or sublet such right.
- 2.13 The monthly charge for assessment rates, basic levies and consumption with effect from 1 July 2009 will be as proclaimed for the business category.
- 2.14 The property must be permanently occupied by the owner of the property.

Consent\_Erf3257(2)

(ADCS)

**ITEM A.51.13.08.09 (originally A.51.30.07.09)**

**FINANCES: SHORT TERM DEBT  
(5/5/2/1)**

RESOLVED A.51.13.08.09 –

1. THAT Council approves the access of short term credit facility of a garage card.
2. THAT Council further approves an agreement with the lender for a term credit facility to be accessed as and when required including a line of credit or bank draft facility.

CreditFacility\_itm

(DF)

**ITEM A.52.13.08.09 (originally A.52.30.07.09)**

**ESSENTIAL SERVICES: ELECTRICITY DISTRIBUTION: NATIONAL ENERGY REGULATOR OF SOUTH AFRICA: DISTRIBUTION LICENSE COMPLIANCE AUDIT REPORT - 20 AUGUST 2008  
(16/2/1/ & 16/2/B)**

RESOLVED A.52.13.08.09 -

1. THAT very serious note be taken of the NERSA audit report attached hereto as annexure A and this report on the non compliance of the electrical distribution license conditions and the consequences and risks it has to the Municipality in terms with service delivery and its revenue base.
2. THAT note be taken that the previous audit compliance report requests conducted in 2004 by NERSA was not adhered to by the then management but that the 2004 audit compliance plans be also now re-included in the plan submitted for 2008/9 attached hereto as Annexure B.



3. THAT the contents of this report as well as the corrective action plan attached hereto as Annexure A be made available to NERSA as Makhado's explanation of the non compliance.
4. THAT the critical scarce managerial skilled vacancies and other strategic vacancies which exist in the Electrical Department and be filled as a matter of urgency!
5. THAT a proper asset maintenance management plan be developed in line with the guideline of NRS 082 which will assist in effective asset maintenance.
6. THAT the reporting system on the quality of supply and service be improved in terms with the NRS 47 & 48.
7. THAT an electricity customer communication forum (CCF) must be established and maintained.
8. THAT the electricity department be ring-fenced which will also assist in the Sec 78 processes currently being conducted by EDIH in preparation for RED6.
9. THAT the minimum stock levels and shortages of strategic spares with the specific standards and specifications of electrical materials and equipment as required in terms with electrical legislation, in stores, be addressed urgently and that note be taken of the severe consequences and risks Council may face should it not be adhered to.
10. THAT a master plan for electricity be developed and maintained to address the demand forecasting, risk assessment and future structured developments.
11. THAT regular condition inspection of the network be done as part of the preventative maintenance programme in order to identify early warning risks that need urgent repairs in order to prevent unplanned outages and that planned maintenance be continued with as a matter of urgency.
12. THAT immediate measures be put in place by the CFO to assist on the financial information in respect of the electricity income/expenditure statements and balance sheets that must be available for the electricity department to complete the distribution loss calculations.
13. THAT note be taken of the estimated backlog in maintenance which has been calculated at a rate of R15mil per year over the next five years and that adequate financial resource be made available in this regard in the next 5 years.
14. THAT it be noted and re – approved that the department do not have an electrical distribution operational central control system but that the status quo be maintained wherein the department has introduced a manager on standby and a senior person on standby that, for the interim period when resources and facilities can be made available, is managing and controlling all authorised electrical personnel (LV, MV & HV operators – electricians) on all the LV, MV & HV operations in terms with

the OCH ACT, until such time when funds can be made available when a formal operational control centre for operations can be established.

15. THAT the management of the Electrical Engineering Services, and in particular the Manager, be given the support and assistance and the necessary facilities and recourses to carry out their legal duties as imposed on them in terms with the General Machinery Regulation 2 of the OHS Act, in the interest of safety in the workplace and services delivery to the customers.

(DTS/MES)

Ej/exco\_60

#### **ITEM A.53.13.08.09**

#### **COMMUNITY SERVICES: COMPILATION OF MAKHADO MUNICIPALITY HOUSING WAITING LIST: ALL WARDS (17/4/1 &17/20)**

RESOLVED A.53.13.08.09 –

1. THAT is be noted that the Department of Local Government and Housing has appointed MK Associates as service provider to develop Makhado Municipality's Housing Waiting List to align with Provincial Housing Demand Database broadly with National Department of Housing (NDOH) set of best practice.  
(AMH)
2. THAT the waiting list which was being developed in house be handed over to MK Associates to form the basis of their working documents. (AMH)
3. That MK Associates be allowed to take their services to the Regions so as to easy the burden of people having to travel to the main office and further that they explore the possibility of operating from the Tribal Offices. (AMH)
4. THAT Ward Councilors of respective wards and other structures within various wards assist the said service provider while executing its task by whatever information they may require. (AMH)
5. THAT the Housing Portfolio committee should assist in the process of prioritizing in respect of which wards prioritising on housing projects. (AMH)
6. THAT the Housing Waiting List be reviewed each financial year to verify whether the status of those who are on the list has changed or not in terms of the requirement of acquiring RDP/PHP Housing units.  
(AMH)
7. THAT a separate report or about the 700 units be submitted to the Executive Committee at its next meeting in 13 August 2009. (AMH)

**ITEM A.54.13.08.09**

**POLICY ON SALE OF COUNCIL LAND  
(15/3/23, 7/3/2/1 & 7/3/2/B)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.55.13.08.09**

**TOWN PLANNING AND CONTROL: ADOPTION OF MAKHADO TOWN PLANNING SCHEME,  
2009 (LAND USE MANAGEMENT PLAN TO BE)  
(8/3/2/702 & 15/3/15)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.56.13.08.09**

**COUNCIL LAND: APPLICATION TO LEASE: TERMINAL BUILDING AND FUEL  
REPLACEMENT AT MAKHADO MUNICIPAL AERODROME  
(7/2/1/4/1; 7/2/1/4/2; 7/3/2/3/2; 7/3/2/3/3)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.57.13.08.09**

**COUNCIL LAND: APPLICATION FOR PURCHASE OF ERF 40, VUWANI TOWNSHIP  
(7/4/1/4)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.58.13.08.09**

**(COUNCIL) LAND: APPLICATION TO PURCHASE A PORTION OF ERF 427 VUWANI  
TOWNSHIP  
(7/4/1/3 & 7/3/2/1)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.59.13.08.09**

**COUNCIL LAND: PROPOSED SALE OF BUSINESS ERVEN 4978, 4979 AND 4980 , LOUIS TRICHARDT EXTENSION 8 TOWNSHIP (7/3/2/3 ; E4979; E4978; E4980)**

**REMARK:**

This matter was withdrawn from the agenda.

**ITEM A.60.13.08.09**

**COUNCIL LAND: PROPOSED RENEWAL OF ADVERTISING AGREEMENT: PRIMEDIA OUTDOOR: NZHELELE – TSHIPISE - MAKHADO R293 TOWNSHIP (DZANANI) (15/3/9)**

RESOLVED A.60.13.08.09 –

THAT the request from Primedia Outdoor to extend the lease agreement of a right to advertise on municipal (and state) land at Nzhelele – Tshipise – Makhado R293 Township (Dzanani) be approved subject to the following terms and conditions:

1. The conditions as contained in the original lease agreement be applicable i.e.
  - 1.1 a new agreement be concluded;
  - 1.2 the rental be escalated by 10% per annum, beginning on 1 July 2003 and 1 January 2004 respectively;
  - 1.3 the conditions of the attached draft agreement be approved by Council;
  - 1.4 the registered landowner must first approve of the application and contents of agreement;
  - 1.5 the rental be as determined by the Director Finance and Economic Development.
2. An addendum to the lease agreement be concluded whereby the lease period be extended for a period of two years as from 1 September 2009 to September 2011.
3. The rental be reviewed in line with Department Finances directive and calculations, with the standard annual escalation. (ADCS)

AdvertisingPrimedia\_itm

**ITEM A.61.13.08.09**

**PUBLICITY: ADMINISTRATIVE POLICY: MUNICIPAL WEBSITE OPERATIONS (11/1; 11/1/B)**

RESOLVED A.61.13.08.09 –

1. THAT the principles outlined in the report in this regard be accepted as administrative policy for the operating of the municipal website. (ADCS)
2. THAT the Acting Director Corporate Services must investigate if we can have private/public partnership with LIBSA, FABCOS and NAFCO. (ADCS)

PolicyWebsite\_itm

**ITEM A.62.13.08.09****TOWN PLANNING AND CONTROL: AMENDMENT OF DEVELOPMENT PROPOSAL: REMAINDER OF PORTION 1, REMAINDER OF PORTION 2, PORTION 3, PORTION 5, PORTION 6, PORTION 7 AND PORTION 11 OF THE FARM WATERVAL 45 LT (15/4/2/1/170)**

RESOLVED A.62.13.08.09 –

THAT the Portfolio Cllr for Planning, Economic Development and Tourism together with Ward Cllrs S.G. Manyaga, SDS Manganyi and L Mashele be delegated with the power to represent the municipality regarding the possible development and acquisition of land for a Taxi rank in the intended Development of Mr Tlakula in Elim, Waterval.

**ITEM CA.63.13.08.09****CONFIDENTIAL****CONFIDENTIAL MATTER****ITEM A.64.13.08.09****TOWN-PLANNING AND CONTROL: MASAGANI LAND CLAIM: FARM BERGVLIET 288 LS (15/3/23)**

RESOLVED A.64.13.08.09 –

1. THAT the contents of the report as submitted to the Planning, Economic Development and Tourism Committee be noted and that the Committee points to the fact that Municipality would have to appeal to the Provincial and National State for assistance to require land for its future planning as Louis Trichardt urban node and Makhado Municipal Jurisdiction was identified as Provincial Growth Point.
2. THAT in view thereof that Makhado Municipality jurisdiction, and specifically Louis Trichardt urban node has been identified as Provincial Growth Point in terms of the Provincial Spatial Rationale, the Municipal Manager as a matter of urgency proceed with steps, if need be by means of assistance by Town-planner professionals of the Department of Local Government and Housing, to update the Makhado Spatial Development Framework, 2007 in order to detail the future use and development nodes of all presently municipal owned land adjacent to proclaimed township areas in the urban node of Louis Trichardt and its extensions, and that amongst others the following projects be taken into account in such activity-

- 2.1 Department Transport's inter-nodal transport multi-year project as part of the transport network modernization
  - 2.2 Identified needs for human settlement through formal township establishment and township development according to town-planning principles
  - 2.3 Identified needs for commercial, industrial and business activities and confirmed efforts which are under way to attract economic activities for poverty alleviation and job creation to the municipal area
  - 2.4 Identified needs for state type offices and service centres as a one stop service to customers, for e.g. Electricity Control Center.
3. THAT the Regional Land Claims Commissioner be informed of Council's Resolution as set out in paragraph 2 above, with specific reference to the contents of Council's letters dated 24 May 2005 and 21 June 2005 which was submitted to the said Commissioner in regard to Farm Bergvliet 288 L.S.

LandClaimMasagani\_itm(2)

(DCS)

**ITEM A.65.13.08.09**

**ESSENTIAL SERVICE: ELECTRIFICATION: PRIORITY LIST OF EXTENSION OF GRID CONNECTIONS  
(16/2/1 & 16/2/B)**

RESOLVED A.65.13.08.09 –

THAT the priority list for the extensions of grid connections be approved and it be recommend to the Executive Committee for final approval by Council, with the following amendments:

Mauluma Zone 5 to be number 8

Mauluma Zone 3 to be number 93

19 Mavhunga 3

8 Mauluma 5

(DTS)

Ej/exco\_62

**ITEM A.66.13.08.09**

**COMPOSITION OF THE EXECUTIVE COMMITTEE: APPOINTMENT IN THE VACANCY OF FORMER CLLR J F SMALLE, DEMOCRATIC ALLIANCE (DA)  
(3/2/4/1/1 & 4/3/1)**

RESOLVED A.66.13.08.09 –

1. THAT the Mayor be mandated to have a meeting with Mr J F Smalle, Cllr N K Maboho and Cllr A du Plooy before Council resolved to appoint Cllr N K Maboho of the Democratic Alliance as the Councillor in the Executive Committee to replace Cllr J F Smalle of the DA (as he then was) who has resigned as a Councillor.

(DCS/DCOMMS)

2. THAT Council Resolution A.36.14.05.09 be revoked and the respective Council Committees be as follows:

NO.	COMMITTEE	MEMBERS – COUNCILLORS
1	ROAD TRANSPORT, DISASTER AND LAND REFORM : <b>Cllr Muvhumbe A</b>	Murovhi N.J. Matamela N.S. Maboho T.E. Ngwana A.G. Du Plooy A Nekhumbe L M Nthulane L.T. Honwana X N C
2	FINANCE : <b>Cllr Lerule M.M.</b>	Matodzi A.N. Makhado M.M. Mashele W.N. Vacancy (Resignation Cllr Smalle J.F.) Mboyi D Mukhuha A.J. Mashau L.P. Nkanyane R.G. Nchauba T G
3	SPORTS AND RECREATION <b>Cllr Masuka S</b>	Ramudzuli S.D. Tshavhuyo G. Makhubele R. Baladzi P. Makhera M.A. Dzhombe J. Siphuma A.L. Makhado M.N. Maletle D
4	YOUTH, ELDERLY, GENDER, DISABLED, CHILDREN AND TRADITIONAL AFFAIRS <b>Cllr Matumba J</b>	Chaya A. Ndhliwayo B.T. Maboho T.E. Makhomisani S.E. Mahlale N.V. Ngobeni E.H. Maduwa E Mahane F.
5	TECHNICAL SERVICES AND INFRASTRUCTURE <b>Cllr Mutavhatsindi F.D.</b>	Mahane F. Honwana X.N.C. Hlungwane B F Mavhunga K. Rumani F.F. Lebea M.E. Smalle J.F. Ramashia N.A. Mulovhedzi D
6	COMMUNITY SERVICES <b>Cllr Lowane L.B.</b>	Mahwai S.J. Khumalo J.D. Mulovhedzi M.D. Mboyi D Helm M.A. Rekhotso S.M. Nemalegeni P.R.J. Gundula S. Selepe R M
7.	CORPORATE SERVICES <b>Cllr Mudau T.J.</b>	Mabila M.N. Nekhumbe L M Hlongwane B.F. Makananise M M Nephawe P Mauba D

N0.	COMMITTEE	MEMBERS – COUNCILLORS
		Makhado M M Radamba M Ngobeni N E
	CORPORATE SUB-COMMITTEES A. LABOUR FORUM	Makhado M.M. Mudau T.J Mauba K.D.
	B. EMPLOYMENT EQUITY	Mabila M.N. Lebea M E Hlongwane B.F. Ngobeni N E Radamba M.S
	C. PENSION FUND	Makananise M.M. Hlongwane B.F. Nephawe P.
8.	HOUSING Cllr Reyneke P.	Maguga S G Murovhi N J Machovani R.G. Manganye S.D.S. Maboho N.K. Maphala O.S. Munungufhala M.L. Mashamba H A Bopape M B
9.	RULES AND ETHICS Cllr Hoorzuk J	Maguga S.G. Ramashia G. Mufamadi M.R. Mavhungu K. Radamba M. Mahlaule V.
10	PLANNING, ECONOMIC DEVELOPMENT & TOURISM Cllr Baloyi R.S.	Dzhombe J Mauba M D Du Plooy A Mufamadi M.R. Radamba M S Mashau L P Malete D Phaswana P Makhado M N

(ADCS)

ReplacementExco\_itm

**ITEM A.67.13.08.09****IDP PROCESS PLAN: 2010/2011  
(15/7/1)**

RESOLVED A.67.13.08.09 –

1. THAT the IDP Process Plan for 2010/2011 Integrated Development Planning Review be approved by the Council before the start of IDP review process.
2. THAT the IDP Process Plan must serve as a guide for the review process of the 2010/2011 financial IDP Review.

(DCOMMS)

IDPProcessPlan\_itm



**ITEM A.68.13.08.09****PARTICIPATION TO INTER MUNICIPAL GAMES: MAPUTO (MOZAMBIQUE)  
(12/3/3/78)**

RESOLVED A.68.13.08.09 –

THAT the invitation from South African Inter Municipal Sport Association, attached as Annexure to the report in this regard be accepted, subject to the following conditions.

1. THAT permission be granted to forty five (45) non-essential services staff members of the municipality to represent the Municipality in the South African Inter Municipal Games to be held in Maputo, Mozambique for the period of 5 to 12 September 2009. (DCOMMS)
2. THAT a Special leave be granted to all 45 staff members referred to in paragraph 1 above. (DCS)
3. THAT the registration fee to the amount of R10 000 to be paid by Council in terms of the Municipal Finance Management Act, 2003 and the due date for registration is 14 August 2009. (DF)
4. THAT Council delegates two (2) councillors to officially represent our Municipality during the Games.
5. THAT Council be requested to pay R23 000,00 for transport costs. (DF)
6. THAT workers are to fundraise an amount of R77 962,00 for accommodation through their own means, failure to raise that amount will translate to the abortion of the trip. (DCOMMS/DF)

MunicipalGames\_itm

**ITEM A.69.13.08.09****PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER  
(5/3/4/9/2 & 5/3/B)**

RESOLVED A.69.13.08.09 -

1. THAT Mr R R Gadisi be appointed as the Municipal Manager of Makhado Local Municipality with effect of 1 September 2009 or at the latest 1 October 2009 as more fully set out in the report in this regard.
2. THAT the Employment Contract between Mr R R Gadisi and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure A attached to the report in this regard, and that the Mayor be vested with the power to negotiate the contents of the two said agreements with the incumbent.
3. THAT the Mayor, Clr M M Lerule be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Municipal Manager referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages serve as bench mark for

this purpose.

4. THAT it be noted that the Mayor will sign the Employment Contract and Performance Agreement of the Municipal Manager on behalf of Makhado Municipality as dictated by legislation.

MMAappoint\_itm

**ITEM A.70.13.08.09**

**PERSONNEL: APPOINTMENT: DIRECTOR CORPORATE AND SHARED SERVICES  
(5/3/4/9/4 & 5/3/B)**

RESOLVED A.70.13.08.09 -

1. THAT Ms T S Ndou be appointed as the Director Corporate and Shared Services with effect of 1 September 2009 or at the latest 1 October 2009 as more fully set out in the report in this regard.
2. THAT the Employment Contract between the Director Corporate and Shared Services and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure A attached to item A.69.13.08.09 in this regard, and that the Mayor be vested with the power to negotiate the contents of the two said agreements with the incumbent.
3. THAT the Municipal Manager (in office) be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Director Corporate and Shared Services referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages serve as bench mark for this purpose.
4. THAT it be noted that the Municipal Manager will sign the Employment Contract and Performance Agreement of the Director Corporate and Shared Services on behalf of Makhado Municipality as dictated by legislation.

AppointDCS\_itm

**ITEM A.71.13.08.09**

**PERSONNEL: APPOINTMENT: DIRECTOR DEVELOPMENT AND PLANNING  
(5/3/4/9/5 & 5/3/B)**

RESOLVED A.71.13.08.09 -

1. THAT Ms M D Sinthumule be appointed as the Director Development and Planning with effect of 1 September 2009 or at the latest 1 October 2009 as more fully set out in the report in this regard.
2. THAT the Employment Contract between the Director Development and Planning and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure A attached to item A.69.13.08.09 in this regard, and that the Mayor be vested with the power to negotiate the contents of the two said agreements with the incumbent.

3. THAT the Municipal Manager (in office) be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Director Development and Planning referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages serve as bench mark for this purpose.
4. THAT it be noted that the Municipal Manager will sign the Employment Contract and Performance Agreement of the Director Development and Planning on behalf of Makhado Municipality as dictated by legislation.

AppointDirDP\_itm

#### **ITEM A.72.13.08.09**

#### **PERSONNEL: APPOINTMENT: DIRECTOR TECHNICAL SERVICES (5/3/4/4/46 & 5/3/B)**

RESOLVED A.72.12.08.09 -

1. THAT Mr T Ralulimi be appointed as the Director Technical Services with effect of 1 September 2009 or at the latest 1 October 2009 as more fully set out in the report in this regard.
2. THAT the Employment Contract between the Director Technical Services and Municipality of Makhado and the Performance Agreement be approved as set out in Annexure A attached to item A.69.13.08.09 in this regard, and that the Mayor be vested with the power to negotiate the contents of the two said agreements with the incumbent.
3. THAT the Municipal Manager (in office) be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Director Technical Services referred to in paragraph 1 above and that the Vhembe District Municipality remuneration packages serve as bench mark for this purpose.
4. THAT it be noted that the Municipal Manager will sign the Employment Contract and Performance Agreement of the Director Technical Services on behalf of Makhado Municipality as dictated by legislation.

AppointDTS\_itm

#### **ITEM A.73.13.08.09**

#### **FINANCES: 2009/2010 IDP AND BUDGET TIME SCHEDULE (6/1/1 2009/10& 15/7/1)**

RESOLVED A.73.13.08.09 -

THAT Council approve the 2009/2010 IDP and Budget time schedule as proposed in the **Annexure A** attached to the report in this regard that has been compiled in accordance with the guidelines of National Treasury and Administrative Management as well as Political structure comply fully with the requirement to adhere to the time schedule.

**ITEM A.74.13.08.09**

**PERSONNEL: SALARY AND WAGE INCREASES 2009 / 2010 FINANCIAL YEAR  
(6/1/1(09/10))**

RESOLVED A.74.13.08.09 -

1. THAT the implementation and payment of a 13% increase with effect from 1<sup>st</sup> July 2009 for all employees be approved.
2. THAT it be approved that two and a half percent (2.5%) of the 13% increase shall be non-pensionable for 2009/2010 financial year
3. THAT the 60% employer portion of the medical aid membership subsidy is increased with 10.5% to a maximum of R2850-80 per month
4. THAT it be noted that the agreement is a multi year agreement and the 2010/2011 and 2011/2012 increases will be according to paragraphs 6.3 and 6.4 with an escape clause in paragraph 6.5 and that a separate report for each financial year will follow around March 2010 and March 2011
5. THAT the minimum wage be noted and implemented.
6. THAT it be noted that the Wage Curve implementation will be a separate process
7. THAT the Home Owners Allowance will be increased to R100 000-00 for 2009/2010 financial year.
8. THAT provision is made for an exemption process and that exemption applications must be submitted before 7<sup>th</sup> September 2009 for 2009/2010 Financial Years.

SalaryIncrease\_itm

**ITEM A.75.13.08.09**

**COMMUNITY SERVICES: POLICY ON THE ESTABLISHMENT AND OPERATION OF  
MUNICIPAL WARD COMMITTEES  
(4/29/4/3/1 & 5/1/1/B)**

RESOLVED A.75.13.08.09 -

1. THAT Council takes note of the policy on Establishment and Operation of Municipal Ward Committees as more fully set out on Annexure A attached to the report in this regard.
2. THAT the Administrator Components must

PolicyWardCommittees\_itm

**9.2 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of June to August 2009**

**The report of the 245<sup>th</sup> Executive Committee meeting held on 25 June 2009.**

**The report of the 246<sup>th</sup> Executive Committee meeting held on 16 July 2009.**

**The report of the 247<sup>th</sup> Executive Committee meeting held on 5 August 2009.**

**The report of the 248<sup>th</sup> Executive Committee meeting held on 13 August 2009.**

**ITEM B.53.25.06.09**

**TOWN-PLANNING AND CONTROL: SUBDIVISION OF ERF 852, LOUIS TRICHARDT TOWN (15/3/8; E 852)**

RESOLVED B.52.25.06.09 –

THAT the application of Geoland Surveys dated 8 April 2009 on behalf of their client Mr F B du Toit to subdivide erf 852, Burger street, Louis Trichardt township into two portions be approved in terms of section 92 of the Town-planning and Townships Ordinance, 15 of 1986 subject to the following conditions:

1. Each property must have its own water and sewer connections for which the installation cost and connection fees will be payable.
2. Each property must have its own electricity connection for which standard fees will be payable. Only a single 60A single-phase connection (pre-paid or conventional) will be available for each stand. The amount payable for the electrical connections will be that of a standard connection as the connection will be provided at the erf's border. The applicant must take note that the municipality will not be able to provide additional electricity supply capacity.
3. The applicant will not be liable to pay engineering services contributions as such were already paid during rezoning of the erf during 2006.
4. Municipal servitudes and building lines must be in line with the Conditions of Establishment of the township as well as such other servitudes as may be required in this specific instance as may be imposed by the Director Technical Services and development must comply with the Louis Trichardt Town-planning Scheme, 2000.
5. The proposed subdivision must be registered in the Deeds Office within two years from date of approval of the application.
6. The applicable contents of Council Resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

**ITEM B.54.25.06.09****TOWN PLANNING AND CONTROL: REZONING OF A PORTION OF THE REMAINDER OF ERF 472, LOUIS TRICHARDT TOWNSHIP: (E610 & 15/4/2/2/1/222)**

RESOLVED B.54.25.06.09 –

1. THAT the application from Developlan on behalf of their client Mr W Cronje to rezone Remainder of erf 472, Louis Trichardt township from “Residential 1” to “Residential 3” with a density of 45 units per hectare be not approved due to reasons mentioned in the report in this regard. (DCS)
2. THAT Council in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) approve the rezoning a portion of the Remainder of erf 472, Louis Trichardt from “Residential 1” to “Residential 3” with the primary right of 20 units per hectare subject to the following terms and conditions:
  - 2.1 No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
  - 2.2 Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
  - 2.3 The applicant will be liable for payment of actual cost for service provisions in the event that larger capacities than what is available under the present zoning may be required.
  - 2.4 The applicable contents of Council Resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning\_Erf472

(DCS)

**ITEM B.55.25.06.09****TOWN PLANNING AND CONTROL: REZONING OF PORTION 1 OF ERF 1505, LOUIS TRICHARDT TOWNSHIP: AMENDMENT SCHEME 102 (E1505/1 & 15/4/2/2/1/221)**

RESOLVED B.55.25.06.09 –

1. THAT the application from Developlan on behalf of their client Mr N R Luvhengo to rezone Portion 1 of erf 1505, Louis Trichardt township from “Residential 1” to “Special for overnight accommodation” be approved in terms of section 56 of the Town Planning and Township Ordinance (Ordinance 15 of 1986) subject to the following terms and conditions:
  - 1.1 No building operations may commence without approved building plans. A site development plan must be submitted before any building plans can be approved.
  - 1.2 Engineering services contributions will be payable within 30 days calculated from the date on which formal rezoning is proclaimed, and will be calculated in accordance with Council’s formula for such services.
  - 1.3 The applicant will be liable for payment of actual cost for service provisions in the event that

larger capacities than what is available under the present zoning may be required.

- 1.4 No liquor may be served from the property and meals may only be served to persons utilising the overnight accommodation facility. This approval may not be construed as rights to run a restaurant/pub facility for members of the public. (DCS)

2. THAT the applicable contents of Council Resolve A.78.24.07.08 which will apply without failure and Council cannot be held liable for any losses suffered for whatever reason in this regard.

Rezoning\_Erf 1505

(DCS)

**ITEM B.56.25.06.09**

**TOWN-PLANNING AND CONTROL: MASAGANI LAND CLAIM: FARM BERGVLIET 288 LS (15/3/23)**

RESOLVED B.56.25.06.09 -

1. THAT Council has no objection in principle to the land restitution process of Masagani CPA on the Municipal land situated on the farm Bergvliet 288 L.S. (DCS)
2. THAT notwithstanding paragraph 1 above, the Municipality has an interest on the claimed land which was earmarked for the extension of the land and the Municipality has no other land to be utilized for township establishment. (DCS)
3. THAT the Portfolio Committee: Road, Transport, Disaster and Land Reform and the Portfolio Committee: Planning, Economic Development and Tourism s well as the Portfolio Committee: Corporate Services consider further motivation to the Regional Land Claims Commissioner as to why the land could not be restored. (DCS)

LandClaimMasagani\_itm(2)

**ITEM B.57.25.06.09**

**COUNCIL LAND: 99 YEAR LEASE AGREEMENTS: LEGAL OPINION (7/B; 13/1/1)**

RESOLVED B.57.25.06.09 –

THAT the legal opinion dated September 2004 as received by Council’s attorneys of record during 2003/4, is noted and that Council obtain a second legal opinion on the matter from the Chief State Law Advisor.

99YearLeaseAgreements\_itm

(DCS)

**ITEM B.58.25.06.09****COUNCIL LAND: APPLICATION FOR LEASE OF COUNCIL LAND FOR OUTDOOR ADVERTISING: SPECIFIC LOCATION OF BILL BOARDS, RISHILE ADVERTISING (7/3/2/3; 15/3/9)**

RESOLVED B.58.25.06.09 –

THAT the application received from Rishile Advertising to erect two billboards in Songozwi street at the exact location as indicated in the location maps attached to a report in this regard as Annexure A be approved subject to the following terms and conditions:

1. The approval of the relevant Roads Agency be first acquired if signs were visible from national, provincial or district roads.
2. Municipality's approval to lease the right of advertisement on municipal land be not implemented if the relevant Roads Agency has not approved of the billboard/advertisement structure along the roads which is part of its competency.
3. A market related rental for the lease of municipal land be collected.
4. The term of lease be for two (2) years only, with an option to renew for a further 4 years 11 months which will not be automatically granted, but subject to consideration in the context of Municipality's circumstances at the time.
5. Building plans of the structures must be submitted for approval before any construction is permitted.
6. The lessee will be liable for payment of full costs of electricity connections and will be liable to pay for all consumption through Council's monthly billing system.
7. Billboards cannot be permitted where electricity overhead lines are present.
8. The provisions of the Building By-laws, Chapter XII will be enforced by Department Technical Services.
9. A standard lease agreement be concluded between Council and Rishile Advertising.

RishileAdvertising\_itm

(DCS)

**ITEM B.59.25.06.09****QUARTERLY REPORTS: DEPARTMENT OF CORPORATE SERVICES:**

**A. MUNICIPAL SECRETARIAT DIVISION: 2<sup>nd</sup> & 3<sup>rd</sup> QUARTER 2008/2009**

**B. HUMAN RESOURCES DIVISION: 2<sup>nd</sup> & 3<sup>rd</sup> QUARTER 2008/2009**

**(10/1/5/1 & 10/1/5/7)**

RESOLVED B.59.25.06.09 –

1. THAT cognizance be taken of the 2<sup>nd</sup> & 3<sup>rd</sup> quarterly reports of the Department Corporate Services in respect of the period 1 October 2008 to 31 March 2009. (DCS)
2. THAT in the next financial year, the Director Corporate Services and the Chairperson of the Portfolio Committee: Corporate Services must first discuss the quarterly report before it is considered by any committee of Council. (DCS)



3. THAT in the next financial year the quarterly report must be aligned to the five Local Government Agenda Key Performance Areas (KPA) as well as the Directorate Service Delivery Budget Implementation Plans (SDBIP) and therefore the structural design of the quarterly report must accordingly be similar to the SDBIP reporting design.

SDP/QuarterlyReport\_DCS(2&3)(08-09)

(MM/ALL DIRS)

**ITEM B.60.25.06.09**

**FINANCES: PROGRESS REPORT: DEBT COLLECTION SERVICE: FEBRUARY AND MARCH 2009  
(8/3/2/740 & 10/1/5/1)**

RESOLVED B.60.25.06.09 -

THAT the progress report of debt collection on commission basis by ZMS Management Solutions for February and March 2009 as fully set out in **Annexure A**, **Annexure B** and **Annexure C** attached to the report in this regard, be noted. (DF)

ProgressDebtCollectionFeb-March\_itm

**ITEM B.61.25.06.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING FEBRUARY 2009  
(6/1/1(2008/09))**

RESOLVED B.61.25.06.09 -

THAT the in-year monitoring financial report for the month of February 2009 be noted. (DF)

MonitoringFeb09\_itm

**ITEM B.62.25.06.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING MARCH 2009  
(6/1/1(2008/09))**

RESOLVED B.62.25.06.09 -

THAT the in-year monitoring financial report for the month of March 2009 be noted. (DF)

MonitoringMarch09\_itm

**ITEM B.63.25.06.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING APRIL 2009  
(6/1/1(2008/09))**

RESOLVED B.63.25.06.09 -

THAT the in-year monitoring financial report for the month of April 2009 be noted. (DF)

MonitoringApril09\_itm

**ITEM B.64.16.07.09****TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT: LIMITED OVERNIGHT ACCOMMODATION: ERF387, LOUIS TRICHARDT TOWNSHIP (15/3/15 & E387)**

RESOLVED B.64.16.07.09 –

THAT the application that was received from Mr H Avis to extend the permission for special consent in order to utilise erf 387, Louis Trichardt township for the purpose of a guest house (limited overnight accommodation) under clause 16 of the Louis Trichardt Town-planning Scheme, 2000 be favourably considered, subject to the following conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
4. A maximum of six persons may be accommodated and such accommodation must be of a temporary nature.
5. The house's residential character must be retained and it must be permanently occupied.
6. Erection of logos or sign boards illuminated by neon lights is prohibited.
7. One paved parking space per bedroom must be provided on the property.
8. The Director: Finance will collect charges and tariffs in accordance with a business tariff for the duration of the practice on the property.
9. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter, whereafter extension thereof may be considered by Council.
10. All health regulations and by-laws that may be applicable and enforceable by the Director Community Services and Council be adhered to.
11. Food may only be served to persons making use of the overnight facility.
12. This consent can at any time be withdrawn if it causes noise pollution or any nuisance to the immediate vicinity.

(ADCS)

Consent\_Erf387

**ITEM B.65.16.07.09****DEATH: RALUSHAI M E:: LOUIS TRICHARDT ALGEMENE HANDELAARS/ MAKHADO - VONDELING LANDFILL SITE (16/4/11 & 5/9/2/1/4)**

RESOLVED B.65.16.07.09 –

1. THAT the agreement for the recycling of refuse by contractors be amended to clearly define the roles, functions and responsibilities of the contractor, sub-contractors, employees of contractor / sub-contractors and the Municipality as principle employer in terms with the requirement of the Occupational Health and Safety Act (Act 85 of 1993).

2. THAT regular medical examinations as prescribed in the Occupational Health and Safety Act (Act 85 of 1993) be conducted by the contractor on sub contractors/workers or employees to confirm the fitness of the workers and to prevent sudden death on the premises due to natural causes, and that this provision be embodied in future contracts for waste recycling.
3. THAT a Safety Indemnity Article of Agreement in terms of section 37(2) of the Occupational Health and Safety Act be included in all future agreements and signed between the parties.

(DComS/ADCS)

ReportOfDeath\_itm

**ITEM B.66.16.07.09****FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING MAY 2009  
(6/1/1(2008/09))**

RESOLVED B.66.16.07.09 -

1. THAT the in-year monitoring financial report for the month of May 2009 be noted.
2. THAT the MIG funding report must be submitted to the Portfolio Committee Finance.
3. THAT the unspent funds allocated to the Department will be re-allocated to other Departments.

(AMM/ALL DIRECTORS)

MonitoringMay09\_itm

**ITEM B.67.05.08.09****PERSONNEL: LGSETA INTER-PROVINCIAL WORKPLACE SKILLS PLAN ENDORSEMENT &  
SKILLS DEVELOPMENT AWARDS  
[4/2/4]**

RESOLVED B.67.05.08.09 –

THAT Council takes note of the Award received by Municipality from LGSETA, as the best Skills Development Facilitator for 2007/8 financial year for the Limpopo Province for the Development and implementation of workplace training, and that the Department Corporate Services (Human Resource Division) be commended for their effort and continuous dedication to the subject. (DCS)

Award\_itm

**ITEM B.68.05.08.09****PERSONNEL: PERMISSION: RESEARCH ON MUNICIPAL RESPONSE TO LANDOWNERSHIP  
RIGHTS: WATERVAL (SHIRLEY)  
(5/3/1)**

RESOLVED B.68.05.08.09 -

1. THAT Ms T.G Nnzeru be authorized to access Council's information on the municipal response to Landownership rights at Waterval (Shirley) for academic purpose.

2. THAT authorization per paragraph 1 above be in line with provision of access to information, legislation and approved by the relevant Head of Department with regard to the classification of information.
3. THAT the applicant`s authorization must not interfere with the normal operation of the Council`s daily administration and the Councils policy.
4. THAT approval of the application is granted subject to the further following conditions:
  - 4.1. Applicant must furnish Council with a copy of research once completed.
  - 4.2. Applicant must indemnify Council against any claims which may result directly or indirectly from the research activity.
  - 4.3. Research information may be used for any form of public media than applicant studies only if the Council permits to do so. (DCS)

TrainingTGNzeru\_itm

#### **ITEM B.69.05.08.09**

#### **MUNICIPAL COUNCILLOR'S PENSION FUND (5/5/8/5/1)**

RESOLVED B.69.05.08.09 –

THAT Council should take note of the contents of the minutes of the Municipal Councillor's Pension Fund and the South African Local Government Association attached hereto as Annexure A.

CllrsPensionFund\_itm

(DCS)

#### **ITEM CB.70.05.08.09**

#### **CONFIDENTIAL**

#### **CONFIDENTIAL MATTER**

#### **ITEM B.71.05.08.09**

#### **TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF ERF 2692, LOUIS TRICHARDT EXTENSION 7 TOWNSHIP: LIMITED OVERNIGHT ACCOMMODATION (15/3/8; E 2692)**

RESOLVED B.71.05.08.09 –

1. THAT note be taken of the objection received against the application received for the operation of limited overnight accommodation on erf 2692, Louis Trichardt extension 7 township.
2. THAT the paragraph 2 of Executive Committee resolution B.91.01.07.04 be revoked and that an ad-hoc committee consisting of the portfolio Committee Planning, Economic Development and Tourism be permanently appointed as a committee to hear objections for rezoning and special consent use.
3. THAT a hearing be arranged to hear the objections as well as response for the application as mentioned

in paragraph 1 above, in terms of clause 16 of the Louis Trichardt town-planning scheme, 2000.

(DCS)

Consent\_Erf2692

**ITEM B.72.05.08.09**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR SPECIAL CONSENT USE OF PORTION 1 OF ERF 1698, LOUIS TRICHARDT EXTENSION 2 TOWNSHIP (15/3/8; E 1698/1)**

RESOLVED B.72.05.08.09 –

THAT the application for special consent use in order to erect a granny flat on Portion 1 of erf 1698, Louis Trichardt extension 2 township, be approved in terms of section 16 of the Louis Trichardt Town-planning Scheme, as no additional service points will be allowed with regard to water and sewer and electricity subject to the following terms and conditions:

1. No development may commence without approved building plans.
2. All costs that may arise as a result of this approval be for the account of the applicant.
3. The consent granted be implemented within twelve (12) months of the date of the resolution, failure which the approval will automatically be withdrawn without any further notice.
4. The special consent shall be for a period of twenty four (24) months, calculated from the date of the approval letter, whereafter extension thereof may be considered by Council.
5. The building to be erected must comply with municipal By-laws and the building must comply with National Building regulations.
6. The granny flat must comply with Council's standards for a granny flat namely:
  - 6.1 the maximum floor area granny flat must not exceed 70m<sup>2</sup> in extend, outbuilding excluded
  - 6.2 the granny flat have at least a bathroom, toilet, kitchen, living/bedroom(s)
  - 6.3 only one connection point per service per erf will be provided
  - 6.4 the granny flat may not be subdivided unless it is situated in an area that allows for densification
  - 6.5 building plans must be submitted and approved before the granny flat can be allowed.

ConsentErf1698\_itm

(DCS)

**ITEM B.73.05.08.09**

**TOWN-PLANNING AND CONTROL: APPLICATION FOR DEVELOPMENT OF A LODGE/OVERNIGHT ACCOMMODATION FACILITY: PORTION 100 (A PORTION OF PORTION 29) OF THE FARM RONDEBOSCH 287 L.S. (15/3/8 & 15/B)**

RESOLVED B.73.05.08.09 -

THAT Developlan be informed that Council has no objection against the approval of the application on behalf of their client, Ramulondi Family Trust submitted an application in terms of the Act on Roads and Ribbon Development (Act 21 of 1940) for the establishment of a lodge/overnight accommodation, dining room

(restaurant for overnight guests and conference facility) and conference facility on Portion 100 (a portion of Portion 29) of the farm Rondebosch 287 L.S., subject thereto that

1. a trading business license must be applied for;
2. the premises/building and operations must comply with health and hygienic regulations;
3. if any additional electricity capacity be required, such upgrading will be for the account of the applicant;
4. the approval of the Department of Local Government and Agriculture has to be acquired as the final power to approve of land use applications of this nature vests with such Department.
5. environmental mitigation measures be implemented in order to reduce the impact on the environment.
6. approval from SANRAL be obtained as the property is situated adjacent to the N1. (DCS)

Portion100\_itm

#### **ITEM B.74.05.08.09**

##### **TOWN PLANNING AND CONTROL:**

1. **REZONING OF PORTIONS 3 AND 8 OF ERF 61, ELTI VILLAS TOWNSHIP FROM ‘INDUSTRIAL 3’ TO “BUSINESS 2”**
  2. **SPECIAL CONSENT FOR OVERNIGHT ACCOMMODATION**
  3. **CONSOLIDATION OF PORTION 3 AND PORTION 8 OF ERF 61, ELTI VILLAS TOWNSHIP**
- (EE61/3 & 8 & 15/4/2/2/1/224)**

RESOLVED B.74.05.08.09

THAT the application received from Developlan on behalf of their clients Skatz Investments and Madima Family Trust to rezone Portions 3 and 8 of erf 61, Elti Villas Township from “Industrial 3” to “Business 2” with a special consent that will allow for overnight accommodation as well as an application for the consolidation of Portions 3 and 8 of erf 61, Elti Villas Township be not approved due to the fact that the area is not earmarked for residential use or overnight accommodation.

Rezoning\_Portion3Erf61

(DCS)

#### **ITEM B.75.05.08.09**

**TOWN PLANNING AND CONTROL: REZONING OF THE REMAINDER OF ERF 603, LOUIS TRICHARDT TOWNSHIP: LOUIS TRICHARDT AMENDMENT SCHEME 107**  
**(E603 & 15/4/2/2/1/226)**

RESOLVED B.75.05.08.09 -

THAT the matter be deferred to a next Executive Committee Meeting pending an inspection in loco by the Portfolio Committee Corporate Services.

Rezoning\_Erf 603

#### **ITEM B.76.13.08.09**

**PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: ALL MUNICIPAL DEPARTMENTS: 2009/10 FINANCIAL YEAR**

(6/1/1(08/09), 5/B, 5/5/2/1; 5/2/1/3)

RESOLVED B.76.13.08.09 -

- 1. THAT it be noted that the Administration could not comply with the provisions of timeframe of the MFMA that regulates submission of SDBIPs of the respective municipal departments and the Overview by the Municipal Manager for the 2009/10 financial year, due to abnormal circumstances which will be addressed by filling of strategic vacant posts.
- 2. THAT the SDBIPs of the respective municipal departments and the Overview by the Municipal Manager for the 2009/10 financial year be adopted in principle subject to the following corrections:
  - a. Compliance with the National Treasury standard format.
  - b. Clear and simplified targets.
- 3. THAT the SDBIPs as attached to the report be approved with the proviso that the relevant Portfolio Committee be delegated to finalize the SDBIPs of their respective Directorates and submit the final consolidated approved version to the Executive Committee.

SDBIP2009-2010\_itm

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10. **PETITIONS**

None

11. **NEW MOTIONS**

None

The meeting was closed and adjourned at 19:20.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), by a resolution of the Council passed at the meeting held on the next Council meeting of 29 October 2009.

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CHAIRPERSON